

Form PTO-1390  
(REV 10-95)

U.S. Department of Commerce Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER

FMW-EE-PCT-US

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**097786041**

INTERNATIONAL APPLICATION NO.

**PCT/EP99/06338**

INTERNATIONAL FILING DATE

**28 August 1999**

PRIORITY DATE CLAIMED

**28 August 1998**TITLE OF INVENTION: **SUPPORTING DEVICE**APPLICANT(S) FOR DO/EO/US: **ALGUERA GALLEGO, Jose Manuel; MULLER, Gerald; and PFISTER, Steffen**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Article 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2))
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
- ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

PCT/EP99/06338

FMW-EE-PCT-US

17. ☒ The following fees are submitted:

## BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5))

Search Report has been prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$690.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$710.00Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1,000.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  
months from the earliest claimed priority date (37 CFR 1.492(e))20 ☐ 30 ☐

\$

## CLAIMS

## NUMBER FILED

## NUMBER EXTRA

## RATE

Total Claims

8-20=

0

X\$18.00

\$0

Independent Claims

1-3=

0

X\$80.00

\$0

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+\$270.00

\$0

TOTAL OF ABOVE CALCULATION =

\$860.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be  
filed (Note 37 CFR 1.9, 1.27, 1.28)

\$0

SUBTOTAL =

\$860.00

Processing fee of \$130.00 for furnishing the English translation later than  
months from the earliest claimed priority date (37 CFR 1.492(f)).20 ☐ 30 ☐

\$0

TOTAL NATIONAL FEE =

\$860.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+\$0.00

TOTAL FEES ENCLOSED =

\$860.00

Amount to be  
refunded: \$

Charged: \$

a. ☒ A check in the amount of **\$860.00** to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit No. **08-3150**. A duplicate copy of this sheet is enclosed.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and  
granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Daniel J. Hudak, Jr.  
Hudak & Shunk Co., L.P.A.  
7 West Bowery Street, Suite 808  
Akron, Ohio 44308-1133  
(330) 535-2220x Daniel J. Hudak Jr.  
SignatureDaniel J. Hudak Jr.  
NameP-47,669  
Registration Number

09/786041

02 Rec'd PCT/PTO 2 8 FEB 2001

**CERTIFICATE UNDER 37 C.F.R. § 1.10 OF MAILING  
BY "EXPRESS MAIL"**

**Applicant:** Jose Manuel Alguera Gallego et al  
**International Application No.:** PCT/EP99/06338  
**International Filing Date:** 28 August 1999  
**Title:** SUPPORTING DEVICE  
**Agent's Reference No.:** FMW-EE-PCT-US

**EXPRESS MAIL RECEIPT NO.: EL752369736US**

**DATE OF DEPOSIT: February 28, 2001**

The undersigned hereby certifies that the attached papers were deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Box PCT, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

HUDAK & SHUNK CO., L.P.A.

By: Daniel J. Hudak, Jr.  
Daniel J. Hudak, Jr.  
Agent for Applicant

DJH/lb

**Enclosures:** Express Mail Certification  
Return postcard  
Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US)  
Concerning a filing under 35 USC § 371  
Filing Fee and Recordation Fee by check of \$860.00  
Unexecuted Declaration for Utility or Design Patent Application  
Copy of Request (4 pages)  
Copy of International Application Published under the PCT  
WO 99/67667 (Search Report attached)  
Translation of the International Application Published under PCT  
Copy of the International Preliminary Examination Report  
Information Disclosure Statement, PTO-Form 1449, 3 references  
Preliminary Amendment